

IPW 3738

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/387,696
	Filing Date	August 31, 1999
	First Named Inventor	George Goicoechea et al.
	Art Unit	3738
	Examiner Name	Javier G. Blanco
Total Number of Pages in This Submission	Attorney Docket No.	BSI-210US2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): References (13), 2 office actions, Restriction Requirement (1 page), Return Receipt Postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual Name	Joshua L. Cohen	Registration No. (Attorney/Agent)	38,040
Signature	<i>Joshua L. Cohen</i>		
Date	August 13, 2004		

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Typed or printed name	Joshua L. Cohen		
Signature	<i>Joshua L. Cohen</i>	Date	August 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appln. No.: 09/387,696

BSII-210US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 09/387,696
Applicant: George Goicoechea et al.
Filed: August 31, 1999
Title: BIFURCATED ENDOLUMINAL PROSTHESIS
TC/A.U.: 3738
Examiner: Javier G. Blanco
Confirmation No.: 2901
Docket No.: BSI-210US2

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This is in response to the Restriction Requirement stated in the Office Letter dated **July 13, 2004**.

The Examiner is requiring an election of a single disclosed species, from each of the two groups of species (Tubular Axis of Prosthesis and Tubular Prosthesis). Applicants provisionally elect to prosecute:

Tubular Axis of Prosthesis

Species A: A single tube (embodied in claim 61); and

Tubular Prosthesis

Species A: Embodied in claims 54 and 57. This election is made without traverse.

Respectfully submitted,

Joshua L. Cohen

Joshua L. Cohen, Reg. No. 38,040
Attorney for Applicants

JLC/ap

Dated: August 13, 2004

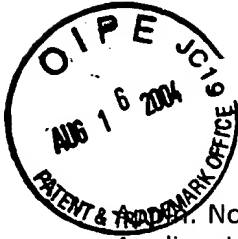
<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700	<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2600
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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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August 13, 2004

Joshua L. Cohen

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant's No: 09/387,696
Applicant: George Goicoechea et al.
Filed: August 31, 1999
Title: BIFURCATED ENDOLUMINAL PROSTHESIS
TC/A.U.: 3738
Examiner: Javier G. Blanco

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Enclosed and listed on the Form PTO-1449 are communications from the Canadian and Japanese Patent Offices which cite the listed references. References JP 5305092, JP 7501476, JP 623031, JP 3151983, and JP 3133446 are not in the English language, but a corresponding English language application for each is attached and separately identified in the attached Form PTO-1449. Based on the Communication of the Japanese Patent Office, EP 0 539 237 A1 is believed to correspond to JP 5305092; PCT International Publication No. WO93/19703 is believed to correspond to JP 7501476; EP 0 508 473 A2 is believed to correspond to JP 623031; EP 0 421 729 A2 is believed to correspond to JP 3151983; and EP 0 423 916 A1 is believed to correspond to JP 3133446. Reference JP 376554 and reference JP 425755 are not in the English language, but an English language abstract of each is attached to the copy of those references submitted herewith.

This Information Disclosure Statement is being filed before mailing of the first Official Action. No first Official Action has yet been received and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

Joshua L. Cohen

Joshua L. Cohen, Reg. No. 38,040
Attorney for Applicants

JLC/ap

Enclosures: PTO Form 1449
(13) References
(2) Office Actions
Transmittal Form

Dated: August 13, 2004

☒ P.O. Box 980
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Wilmington, DE 19899
(302) 778-2500

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Joshua L. Cohen

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Approved for use through 6/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

Complete if Known

Application Number	09/387,696
Filing Date	August 31, 1999
First Named Inventor	George Goicoechea
Art Unit	3738
Examiner Name	Javier G. Blanco
Attorney Docket No.	BSI-210US2

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
	A.	Office Action of Canadian Intellectual Property Office for Application No. 2,182,982 dated June 14, 2004.	<input type="checkbox"/>
	B.	Notice of Reasons of Rejection of Japan Patent Office Application No. H07-521275 dated May 18, 2004.	<input type="checkbox"/>
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Examiner Signature			Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

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